

REMARKS

The Final Office Action, mailed November 30, 2007, considered claims 1-17, 20, 23-40, 43 and 45-53. Claims 1 - 4, 6, 8, 12, 17, 20, 26, 27, 29 - 31, 35, 38 - 40, 45, and 47 - 53 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Ohkado* (US 2001/0047626 A1), hereinafter *Ohkado*, in view of *Kontny* et al. (US 2004/0183829 A1), hereinafter *Kontny*.¹²

By this amendment, claims 1, 17, 29 and 38 have been amended and new claims 54-58 have been added.³ Claims 23-25, 35 and 43 have been cancelled. Accordingly, claims 1-17, 20, 26-34, 36-40, and 45-58 are pending, of which claims 1, 17, 29 and 38 are the only independent claims at issue.

The present invention is generally directed to automatically adjusting the one or more user interfaces based on the user's level of interaction over a period of time. For example, claim 1 defines displaying an intermediate representation of a user interface for real time communication, the intermediate representation including a text input box and at least a portion of a received real time message. Next, claim 1 defines monitoring all types of user interaction with the intermediate representation of the user interface over a period of time

Claim 1 further defines determining an overall level of user interaction with the intermediate representation of the user interface based on a combination of all monitored user interactions with the user interface within the period of time. Lastly, claim 1 defines automatically adapting the user interface to the user's activity level by performing at least one of based on the determined overall level of user interaction, automatically enlarging the size of the

¹ Although the prior art status of the cited art is not being challenged at this time, Applicant reserves the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

² Further claim rejections include the following: Claims 5, 24, 32, and 44 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Ohkado* and *Kontny* in view of Taylor et al. (US 6,147,773 A), hereinafter *Taylor*. Claims 7, 23, and 43 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Ohkado* (US 2001/0047626 A1) and *Kontny* in view of Flowers et al. (US 2003/0105812 A1). Claims 9 - 11 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Ohkado* and *Kontny* in view of Quillen et al. (US 2004/0103156 A1). Claims 13, 28, 36, and 46 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Ohkado* (US 2001/0047626 A1) and *Kontny* in view of Amro (US 5,699,535). Claims 14 and 37 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Ohkado* (US 2001/0047626 A1), *Kontny*, and Amra (US 5,699,535). Claims 15 and 16 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Ohkado* and *Kontny* in view of Brown et al. (US 7,146,573 B2). Claim 25 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Ohkado*, *Kontny*, and Flowers et al. (US 2003/0105812 A1). Claims 33 and 34 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Ohkado*, *Kontny*, and Taylor in view of Brown et al. (US 7,146,573 B2).

³ Support for the amendments to the claims and new claims 54-58 are found throughout the specification and previously presented claims, including but not limited to paragraphs [0011], [0038], [0039], [0041], [0049], [0055] and Figures 3B & 6.

intermediate representation of the user interface to an enlarged representation appropriate for a high determined overall level of interaction, wherein the enlarged representation includes the text input box and based on the determined overall level of user interaction, automatically reducing the size of the intermediate representation of the user interface to a reduced representation appropriate for a low determined overall level of interaction.

Claim 17 is a method claim directed to simplifying user interaction with one or more real time communication user interfaces by adapting the one or more user interfaces to the user's activity level measured over a period of time. Claim 29 is a computer program product claim corresponding to claim 1. Claim 38 is computer program product claim corresponding to claim 17.

Applicants respectfully submit that the cited art of record does not anticipate or otherwise render the amended claims unpatentable for at least the reason that the cited art does not disclose, suggest, or enable each and every element of these claims.

Ohkado describes a method for controlling an instant messaging (IM) window. The IM window is automatically enlarged when the volume of the contents to be displayed reaches a predetermined value (par. [0010]). If a user selects a "clear" button, the window shrinks to a minimum size (par. [0037]). The size of the window is calculated based on the number of lines after the addition of a message input by a user (par. [0035]). Thus, the window is enlarged when additional lines of text are typed by the user and is reduced to the minimum size when the user clears the text by selecting the "clear" button (par. [0035]-[0037]). *Ohkado* is silent on determining an overall level of user interaction with an application window based on various forms of user interaction and is further silent on automatically adjusting application window size based on the overall level of user interaction. *Ohkado* calculates the window size solely on the number of displayed lines of text or whether the "clear" button has been pressed.

Kontry describes a means of providing instantaneous collaboration with a contact in an instant message buddy list. When a user hovers over a contact in the buddy list using a selection device such as a mouse, a contact GUI is generated that contains contact information for that contact (par. [0047]). The contact information can include indications as to current availability, preferred method of contact, and the ability to instantaneously engage in a collaborative session. Thus, a user can hover over a contact, the contact's information is displayed in a generated GUI, and, from the GUI, the user can initiate an IM session with that contact. *Kontry* is silent on

determining an overall level of user interaction with an application window and is further silent on automatically adjusting the size of that application window based on the overall level of user interaction with that window.

Thus, neither *Ohkado* nor *Kontny* teaches or suggests monitoring all types of user interaction with the intermediate representation of the user interface over a period of time, as recited in claim 1. Furthermore, neither *Ohkado* nor *Kontny* teaches or suggests determining an overall level of user interaction with the intermediate representation of the user interface based on a combination of all monitored user interactions with the user interface within the period of time.

Lastly, neither *Ohkado* nor *Kontny* teaches or suggests automatically adapting the user interface to the user's activity level by performing at least one of based on the determined overall level of user interaction, automatically enlarging the size of the intermediate representation of the user interface to an enlarged representation appropriate for a high determined overall level of interaction, wherein the enlarged representation includes the text input box and, based on the determined overall level of user interaction, automatically reducing the size of the intermediate representation of the user interface to a reduced representation appropriate for a low determined overall level of interaction, as recited in claim 1.

At least for any of these reasons, claim 1 patentably defines over the art of record. Furthermore, at least for any of these reasons, claims 17, 29 and 38 also patentably define over the art of record. Since each of the dependent claims depend from one of claims 1, 17, 29 and 38, each of the dependent claims also patentably define over the art of record for at least either of the same reasons.

Claims 23-25 and 43 were objected to under 37 CFR 1.75(c), as being of improper dependent form. Claims 23-25 and 43 have been cancelled, thus rendering the claim objections moot. Accordingly, Applicants respectfully request that the objections to claims 23-25 and 43 be withdrawn.

In view of the foregoing, Applicant respectfully submits that the other rejections to the claims are now moot and do not, therefore, need to be addressed individually at this time. It will be appreciated, however, that this should not be construed as Applicant acquiescing to any of the purported teachings or assertions made in the last action regarding the cited art or the pending application, including any official notice. Instead, Applicant reserves the right to challenge any

of the purported teachings or assertions made in the last action at any appropriate time in the future, should the need arise. Furthermore, to the extent that the Examiner has relied on any Official Notice, explicitly or implicitly, Applicant specifically requests that the Examiner provide references supporting the teachings officially noticed, as well as the required motivation or suggestion to combine the relied upon notice with the other art of record.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at (801) 533-9800.

Dated this 30th day of January, 2008.

Respectfully submitted,

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